

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

JESSICA MELENDEZ-CARRILLO,

Individually and on behalf of others
similarly situated,
Plaintiff(s),

v.

EP-16-CV-00472-DCG

TENET HOSPITALS LIMITED D/B/A
PROVIDENCE MEMORIAL HOSPITAL,
NOW KNOWN AS THE HOSPITALS OF
PROVIDENCE, PASO DEL NORTE
HEALTH FOUNDATION, and
ESPERANZA "ESPY" MARTINEZ,
Defendants.

**PLAINTIFFS' NOTICE OF NONSUIT WITHOUT PREJUDICE PURSUANT
TO TEXAS CIVIL PRACTICE AND REMEDIES CODE ANNOTATED § 74.351**
OR IN THE ALTERNATIVE MOTION TO DISMISS

COME NOW, Plaintiffs, Jessica Melendez-Carrillo, Individually and on behalf of others similarly situated, and hereby give notice to this Court and to all parties to this suit that they are taking a nonsuit without prejudice of all of their claims and causes of action against the Defendants, Tenet Hospitals Limited, a Texas Limited Partnership, d/b/a Providence Memorial Hospital (hereinafter "Defendant" and "Providence Memorial Hospital"), Paso Del Norte Health Foundation, Esperanza Martinez, effective immediately upon the filing of this Notice of Non-Suit without prejudice Pursuant to Texas Civil and Practice Remedies Code Annotated §74.351 or in the Alternative, Plaintiffs file this, their Motion to Dismiss without Prejudice.

SIGNED on this 17th day of January 2017.

Respectfully submitted,

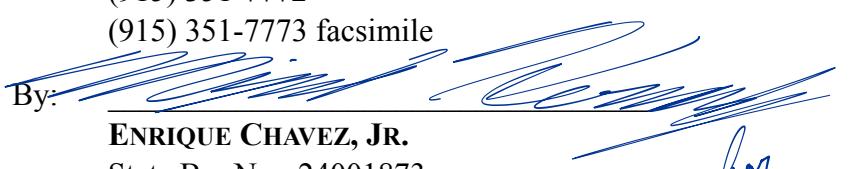
CHAVEZ LAW FIRM

2101 Stanton Street

El Paso, Texas 79902

(915) 351-7772

(915) 351-7773 facsimile

By: 

ENRIQUE CHAVEZ, JR.

State Bar No.: 24001873

enriquechavezjr@chavezlawpc.com

Attorney for Plaintiffs

 for

CERTIFICATE OF CONFERENCE

Prior to filing this motion, Plaintiffs' counsel conferred with Defendant's counsel as to whether Defendant's counsel opposed the relief sought in the instant motion. Defendant's counsel indicated they could not advise whether they are opposed to the motion.


MIGUEL HERNANDEZ

CERTIFICATE OF SERVICE

This is to certify that on January 17, 2017, I electronically filed the foregoing document with the clerk of the court for the United States District Court, Western District of Texas, using the court's electronic case filing system. The electronic case filing system sent a "Notice of Electronic Filing" to the following attorney's of record who have consented in writing to accept that Notice as service of this document by electronic means:

J. Scott Mann,
scott.mann@kempsmith.com
TBN 24002519
KEMP SMITH, LLP
P.O. Box 2800
E1 Paso, Texas 79999
Telephone: (915) 533-4424
Facsimile: (915) 546-5360

R. Thaddeus Behrens,
TBN 24029440
thad.behrens@haynesboone.com
Taryn McDonald,
TBN 24088014
taryn.mcdonald@haynesboone.com
HAYNES AND BOONE, LLP
2323 Victory Avenue, Suite 700
Dallas, Texas 75219
Telephone: (214) 651-5000
Facsimile: (214) 651-5940



ENRIQUE CHAVEZ, JR.

